Original for Mysore State
1-9-56
Supdt. PWD(P).

FOR MYSORE STATE

ectt. Old No. II-27, New No. II-15—75,000—31-1-55.

P.W.(1956) Department.

MS SERIES.

G.O. No. 3485

II 15 17 5

Dated 11—8—56

Closed
1/4/57

[Despatch Abstract.]

Elecy — Supply of Jog power in South Kanara.

Tariffs — Approved.

IMMEDIATE

GOVERNMENT ELECTRICITY DEPARTMENT

From

Sri M.B.Kandasami, B.A., B.L., .E.(Hons), M.I.E.(Ind),
Chief Engineer for Electricity (in charge),
157, Mount Road, adras.

To

The Secretary to Government,
Public Works Department, adras.

No.220E/56- 12 dated 5-6-56.

Sir,

Sub:- Electricity - Supply of Jog power in bulk to the Mangalore licensee- Draft agreement.

I invite reference to the correspondence ending with my letter No.220E/56-9 dated 4-6-56 on the above subject and request very urgent orders of Government approving the draft agreement.

2. As the Chief Engineer (Electricity) Mysore has reported that as per provisional arrangements made, bulk supply of Jog power is likely to be afforded to this Department on 23rd June all steps have to be taken for enabling bulk supply being given to the Mangalore licensee immediately the bulk supply from Mysore is received by this Department. The work on the 11 KV feeder from the Departmental Receiving Station to the licensees Power House is nearing completion.

3. Pending receipt of approval of Government to the Draft agreement, I am forwarding a copy of thereof to the licensee for acceptance telling him at the same time that the draft is subject to the approval of Government. My action in this regard may please be ratified. I am also advising the licensee to make all arrangements at his end to receive the bulk supply as soon as the Department is in a positio to give it and that a provisional acceptance of the terms of the agreement may be given in writing pending execution of the agreement on approval of Government so that supply may be given to the licensee without any delay on account of the formal completion of the agreement. This arrangement may ple be approved by Government.

4. With reference to para 2 of Government Memo.No. 661 P/56-2 dated 28-4-56 regarding tariffs, I have to state that if bulk supply is given by Mysore from Jog by the date now promised by them and the Mangalore licensee also takes supply about that date, there is likely to be a short period between the date of supply and the date by which restrictions in Hydro-Electric areas will be removed and the proposed additional surcharge is enforced. For this interim period the supply given to the licensee will have to be charged as per the tariff specified in Clause 14 of the draft agreem Apart from the 25% special surcharge which forms part of the tariff proper, there will be no other surcharge on the licensee for this period. In this connection reference is invited to para 5 of my letter No.286 J/56-1 dated 23-3-5 and request that the suggestion therein about exempting the consumers in the Mangalore area from the 10% surcharge may be approved.

P.T.O.

5. Supplies given to L.T. consumers will be charged for as per schedule A plus 25% surcharge plus 10 Hydro-electric energy surcharge. Even after the coming into force of the increased surcharge in Hydro-electric areas, the same tariff and surcharge will continue for the L.T. supplies.

6. I request approval of Government for adopting the above rates if the Department gives supplies to (1) the Kanara Mangalore licensee and (2) L.T. consumers in the South Kanara area before the issue of increased surcharge order under reference.

S. N. Ranganathan.
For Chief Engineer for Electricity.

VAG.5/6.

5/6

GOVERNMENT ELECTRICITY DEPARTMENT.

From

Sri M.B. Kandaswami, B.A., B.E., M.E.(Hons.), M.I.E.(Ind.),
Chief Engineer for Electricity (in charge),
157, Mount Road, Madras.2.

To

The Mangalore Electric Supply Co., Ltd.,
14, Old Court House Street,
Calcutta/ Mangalore.

ASSISTANT SECRETARY 2636 9 JUN 1956 PUBLIC WORKS DEPARTMENT

Letter No.220-E/56-11 dated 5-6-'56.

Gentlemen,

Sub: Supply of Jog power in bulk to the Mangalore Licensees - Draft agreement.

The Mysore authorities have intimated that arrangements connected with the bulk supply of Jog power to this Department for distribution in the South Kanara area are likely to be completed by the 23rd June and bulk supply given by them by that date. I shall be glad to have your confirmation that necessary arrangements are being made at your end also to receive bulk supply of power from this Department as soon as it is able to afford it to you.

The draft of the agreement for supply of power to you by this Department awaits approval of Government. Pending receipt of this approval, I forward herewith a copy of the draft for your acceptance. The draft is in the standard form in force in the Department with modification to suit your case. On receipt of Government approval, I shall advise you so that the agreement may be executed on stamp paper by you and sent to this office for completion as usual.

As all this is likely to take time and as supply will be available in a few weeks, I shall be glad to have your provisional acceptance of the terms of the agreement in writing with any modifications that may be proposed by Government, so that supply may be given to you without any delay and waiting for the formal completion of the agreement.

It will be seen that the agreement provides for a demand of 1000 K.W. vide clause 29.

The tariff in clause 14 of the agreement is provisional and subject to approval of Government.

RG.5.6.

N. [illegible]
For CHIEF ENGINEER FOR ELECTRICITY.

Copy to the Secretary to Government, Public Works Department for information.

P. W. D. (P.2.)

Special

Memo. No. 2609 P/56-2 D/18.6.56.

Sub: Electricity - Supply of Jog power in bulk to the Mangalore Licensee - Tariffs to be adopted.

Ref: From the C.E.(E), letter No.220 220 E/56-12, dated 5-6-56.

The Govt. approve the proposal of the C.E.(E) to charge the L.T. consumers in the Mangalore area served by the Department direct as per schedule 'A' of the Hydro Electric Tariffs plus 25% surcharge plus 10% Hydro-Electric energy surcharge for supplies given to them from the date on which Jog power is made available in the area.

2. The C.E.(E)'s proposal not to levy the 10% surcharge on the Mangalore Licensee and the consumers in the licensee's area is accepted. Formal orders exempting them under the second proviso to clause (8) of the Consolidated Surcharge Order will be issued later soon after the date on which Jog power has been made available to the licensee is known.

3. The C.E.(E) is requested to report the date on which Jog power is made available to the licensee.

15.6.56.

16/6/56.

the C.E.(E).

P.W.D. (P-2)

Memo No. 2609. P/56-3 dt. 16/7/56.

Sub. Fleey - Supply of Jog power in bulk to the Mangalore Licensee - Tariffs to be adopte

Ref. Govt. Memo No. 2609. P/56-2 dated 18.6.56.

The C.E. (E) is requested to state when his reply with reference to para 3 of the memo cited may be expected.

16/7/56

To the C.E. (E).

16.7.56.

16/7/56

16/7/56

11

GOVERNMENT ELECTRICITY DEPARTMENT.

:::

From

Sri V.P. Appadurai, B.A., M.I.E.(Ind.),
Chief Engineer for Electricity,
157, Mount Road, Madras-2.

To

The Secretary to Government,
Public Works Department,
Madras-9.

Letter No.786-J/56-3 dated 16-7-56.

Sir,

Sub: Electricity - Supply of power in South Kanara area - Tariffs approval of requested.

Ref: Government Memorandum No.2609-P/56-2 dated 18-6-56.

In my letter No.786-J/56-1 dated 23-3-56 and paras 5 and 6 of letter No.220-E/56-12 dated 5-6-56, approval was requested for the tariff to be adopted in the South Kanara area. But in para 1 of the Memo cited approval has been accorded for the tariff to be applied in Mangalore area only for L.T. consumers.

2 Mangalore is only a part of South Kanara and supply is given there by a licensee. Hence the orders have to be modified to apply to the entire South Kanara area. The reference made to 10% Hydro Electric Energy surcharge in the para is also not correct as the hydro electric energy surcharge order has been superseded by G.O. No.2845 P.W. dated 16-8-54.

3. When the Jog power is distributed in the Udipi area, the tariffs applicable in the South Kanara area have to be applied in Udipi also in supersession of the orders in G.O.1873 P.W. dated 12-5-55 as application of two sets of tariffs in the same area would be discriminatry and give rise to complaints especially when power from the same source is distribut This would also give some relief to the consumers in Udipi area. But so far as agricultural supply is concerned, the present rate in Udipi is one anna per unit and in Hydo Electric areas it is 0.90 annas for the first 500 units per Horse Power. With the addition of 25% proposed South Kanar area the rate becomes 1.125 anna per unit and over this the consumers have to pay 10%. But for this increase, the tariffs for other consumers are favourable by the change. But it is not desirable to make any change on this account and the tariffs may be uniform for the entire area. As there is increase in rate for the agricultural consumers, it is necessary to invoke the Essential Articles Control Act for change of Tariffs in Udipi area to take effect from the date Jog power is distributed. Such orders may be issued now itself.

4 For H.T. consumers in South Kanara area also the tariffs as in Hydro Electric Areas plus 25% addition may be approved.

5 It is also necessary that the "conditions of supply" in Udipi area are changed and departmental "conditions of supply" are introduced for the purpose of uniformity and the application of the present conditions of supply of the former licensee gives rise to some anamalies. The conditions may be approved to be given effect to immediately i.e. from the date of orders.

....2

6. To Sum up, orders are requested on the following:

1) Tariffs to be approved for South Kanara area - Schedule A of Hydro Electric areas plus 25% for L.T. consumers.

2) The above tariff to be approved for Udipi area from the date Jog power is distributed in the area - Orders to be issued under the Essential Articles Act.

3) H.T.Tariff for South Kanara area to be approved - as in Hydro Electric areas plus 25%.

4) "Conditions of Supply" for Udipi area to be approved in modification of existing conditions to take effect from date of orders.

7. Surcharges applicable in the area have already been approved in G.O.3059 dated 9-7-56 and hence no further orders are necessary now.

Copy at (P)

I request early orders of Government.

N. [signature]

RG/23/7

For CHIEF ENGINEER FOR ELECTRICITY.

24/7

P. W. D. (P.2.)

Abstract

Electricity - Supply of Jog power in South Kanara - Tariffs - Approved.

Read:- G.O.Ms. No.1873 P.W., d/12-5-55.
G.O.Ms. No.4244 P.W., d/10-11-55.
Memo. No.2609 P/56-2, d/18-6-56.
From the C.E.(E), letter No.786 J/56-3, dated 16-6-56.

G. O. MS. NO. 3485 D/ 11.8.56

In modification of the orders issued in paragraph 1 of Govt. Memo. No. 2609 P/56-2, P.W., dated 18-6-56, the Govt. approve the proposal of the C.E. (E) for adoption of the following rates together with a surcharge thereon of 10% or 20% as the case may be, leviable under item III of clause (6) of the Madras Electricity Supply (Government and Licensees Areas) Surcharge Order, 1954, in respect of the supply of Jog power made by the Govt. Electricity Department in the South Kanara area excluding the ex-Udipi licensee's area of supply:--

(1) Standard Hydro-Electric tariff for H.T. supply plus a 25% increase thereon.

(2) Schedule 'A' of the Hydro-Electric tariff for L.T. supply plus a 25% increase thereon.

2. In supersession of the orders issued in G.O.Ms. Nos. 1873 P.W., dated 12-5-55 and 4244 P.W., dated 10-11-55 the Govt. approve the proposal to adopt the rates mentioned in paragraph 1 above in the area of the Udipi Electrical Undertaking for the supply of Jog power

in the said area.

3. Sanction is also accorded to the adoption in the area of the Udipi undertaking of the conditions and agreements for supply, scale of miscellaneous charges etc. applicable to Govt. areas as contained in Parts I and III of the Govt. Electricity Deptt. "Conditions and Rates of Supply" in supersession of the ex-licensee's conditions of supply, miscellaneous charges etc. now in force in the area.

4. The following notification will be published in the Fort St. George Gazette:--

Notification.

In exercise of the powers conferred by section 3 of the Madras Essential Articles Control and Requisitioning (Temporary Powers) Act, 1949 (Madras Act XXIX of 1949), as re-enacted by Madras Act VI of 1956, and in supersession of Public Works Department Notification No.129 published on page 1693 of Part I of the Fort St. George Gazette dated the 23rd November 1955, the Governor of Madras hereby directs that in the area served by the Udipi Electrical Undertaking taken over by the ~~Govt.~~ Government of Madras from the Udipi Electric Licensee under the provisions of the Madras Electricity Supply Undertakings (Acquisition) Act, 1949 (Madras Act XLIII of 1949) and the Madras Electricity Undertakings (Acquisition) Act, 1954 (Madras Act XXIX of 1954), the rates chargeable for the supply of Jog power made by the ~~Govt.~~ Government Electricity Department in the said area shall

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be in accordance with the tariff specified below:--

(1) Government Hydro-Electric Power tariff for H.T. supply together with a 25% increase thereon;

(2) Schedule 'A' of the Government Hydro-Electric Power Tariff for L.T. supply together with a 25% increase thereon.

(3) A surcharge of 10% or 20%, as the case may be, leviable on the rates referred to in items (1) and (2) above under item III of Clause (6) of the Madras Electricity Supply (Government and Licensees Areas) Surcharge Order, 1954 as amended.

5. The C.E.(E) is requested to take steps urgently to notify the concerned consumers in Udipi area of the changeover in tariffs etc. approved in paragraphs 2 to 4 above before the bills incorporating the revised tariffs are actually served on them.

51/7/52

3/8/52

11/8/52

ep 12/8/52.

To the C.E.(E).
To the C.O.E.(S).
To the C.E.I.G.
To the C.S.P. ~~(para 4 only) for publication~~ for publication of an notification in the F.S.G.G.
To the A.G., Madras, through Fin.
Copy to the C.W. P. & C (Power Wing), Simla.
Copy to the Commr., Udipi Municipality, through the Chairman, Municipal Council.

Copy to PWD (I) & S.C

P.T.O. for draft II

19

Special

Draft II.

P. W. D.(P).

Memo. No. 2609-P/56-5 D/11.8.56

Sub: Electricity - Supply of Jog power in South Kanara Tariffs.

Ref: G.O.Ms. No. 3485 P.W. dt 11.8.56.

A copy of the G.O. cited is forwarded to the Controller of Stationery and Printing. He is requested to publish the notification in paragraph 4 of the G.O. in the next earliest issue of the Fort St. George Gazette.

AA 31/7/56 — L 3/8/56 — 11/8/56

depd by spl Messenger 1.2/8/56

To The Controller of Stationery and Printing. (with copy of G.O.)

Endt. No. 2609-P/56-6 D/ 11.8.56.

Copy communicated to the C.E.(E) with copy of the G.O. He is informed that the revised rates should be given effect to in the area of the Udipi Electrical Undertaking with effect from the date or dates on which meter readings are taken in the area after the notification under reference has been published in the Fort St. George Gazette or from the date on which Jog power is distributed in the area whichever is ~~earlier~~ later.

AA 31/7/56 — L 3/8/56 — 11/8/56

depd 1.2/8/56

To the C.E.(E) with copy of G.O.)

2 Secs.

CONFIDENTIAL

Special

GOVERNMENT ELECTRICITY DEPARTMENT

From

Sri N.R. Narasimhamurti, B.Sc., B.E.,
Chief Operation Engineer(South),
157, Mount Road, M a d r a s.

To

The Secretary to Government,
Public Works Department,
M a d r a s.

No.786.J/56-6 dated 27th August 1956

Sub: Electricity--Tariffs--Udipi area applicability of.

Ref: G.O.No.3485 P.W. dated 11-8-1956 & Endt.No.2609.P/56-6 dated 11-8-56 thereon.

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It is now reported by the Superintending Engineer, Pykara Electricity System that he took the orders in Government Memo.No.2609.P/56-2 dated 18-6-1956 as applicable to Udipi Area also as it forms part of South Kanara and circularised all the consumers in the Udipi area that with the advent of Jog supply the tariffs as approved would be applied to them.

2. Jog supply was made available in Udipi and Karkala on the 10th of July 1956 and as the tariff had to be changed with reference to the circular issued by him with effect from that date, the Superintending Engineer Pykara System had arranged for special meter readings prior to change over. The bills for July 1956 have been prepared at the rates approved in G.O.No.1873 P.W. dated 12-5-1955 to date of changeover and at the revised rates from date of Jog Supply. He has now sought for orders whether in view of the circular already sent by him to consumers based on a misunderstanding of Government Memo. dated 18-6-1956, the bills as prepared may be despatched, or revised bills at the licensees' rates alone be sent as with reference to the orders in the G.O. and endorsement cited, that the new rates have to be given effect to only from September consumption. In the latter case, as lower rates have already been intimated, the consumers would raise objections and protest.

3. There can be no objection in applying a lower rate even retrospectively. Even the departmental conditions envisage that when a lower tariff is introduced, the benefit should be given to the consumers. As in respect of agricultural supplies the proposed rates are higher than the existing rates, orders were sought under the Essential Articles Act. In view of the above position I am instructing the Superintending Engineer, Pykara Electricity System to send the July bills as prepared by him i.e. at the old rates to date of change over and at the revised rates from date of Jog supply to all the consumers&at the same time telling him that his action in issuing the circular without getting the position clarified is irregular and should not have been done. If any of the agricultural consumers protest for the higher rate only they can protest, then in their case only the revised rates can be given effect to from the date meter readings are taken in August 1956 i.e. for September 1956 consumption. The Superintending Engineer, Pykara Electricity System has been requested to send a report on this point and on receipt of his report the position will be intimated to Government for amending G.O.3485 dated 11-8-1956 suitably.

cont...2

4. I request that the above procedure may please be approved and the Superintending Engineer, Pykara Electricity System's action in having sent the circular to the consumers about change of tariff and in preparing bills from the date of change over to Jog supply ratified as a special case.

N. R...

For CHIEF OPERATION ENGINEER(SOUTH)

esr.27/8

P.W.D.(P-2.)

Memo.No.3875-P/56-2 Dated 12-9-1956.

Sub:- Electricity - Supply of Jog power in Udipi area - Revised tariffs - Date of effect - Orders issued.

Ref:- G.O.Ms.No.3485, P.W., d/11-8-56. From the C.O.E.(S) letter No.786J/56-6, dated 27-8-56.

The C.O.E.(S) is informed that only in respect of such of the consumers in the area of the Udipi Electrical Undertaking in whose cases there is a reduction of the rate consequent on the introduction of the revised rates approved in G.O. Ms.No.3485 P.W., d/11-8-56, the revised rates may be given effect to from the date on which Jog power was distributed in Udipi area. But in respect of all other consumers for whom there is an increase, the revised rates should be given effect to only from the date or dates on which meter readings are taken after 15-8-56 (the date on which the notification approved in para 4 of the G.O. cited was published in the Fort St. George Gazette). The C.O.E.(S) is ~~accordingly~~ requested to instruct the S.E. to send the necessary revised bills to the agricultural consumers now itself.

2. The Govt. ratify the action of the S.E., Pykara Electricity System in having sent circulars to the consumers ih Udipi area intimating change of tariff from the date of Jog supply and in preparing bills based on

P.T.O.

on the revised rates from the date of change over to Jog supply in those cases where there is reduction of rate consequent on the revision.

12/9/58

12/9/58

To: C.O.E.(S)
The C.E.(E).
The A.G., through Finance.

Sub : Electricity - Supply of Jog power in bulk to the Mangalore Licensee - Tariffs to be adopted.

Ref: From the C.E.(E) letter No.220 E/56-12, dated 5-6-56.
From the C.E.(E) letter No.220-E/56-11, dated 5-6-56.

-.-

Please see the C.E.(E)'s letter at pp.1-3 c.f. and the copy of his letter addressed to the Mangalore Electric Supply Co., Ltd., at p. 5 c.f.

2. The C.E.(E) forwarded for approval a draft agreement incorporating the terms and conditions under which supply of Jog power will be given to the Mangalore licensee. The draft agreement has been examined and the connected file has been sent to Public (Partition), Law (Ser.) and Finance for remarks. Action with reference to para 3 of the C.E.(E)'s letter at 1 c.f. may be taken in the file referred to above on its receipt from other departments.

3. The C.E.(E)'s letter on pp.7-11 ~~c.f.~~ and para 2 of the Memo on pp. 15-16 c.f. of L.F. may be perused With reference to the point raised in the memo the C.E.(E) has stated that if bulk supply is given by Mysore from Jog by the date now promised by them (viz. 23-6-56) and the Mangalore licensee also takes supply about that date, there is likely to be a short period between the date of supply and the date by whic restrictions in Hydro electric area will be removed and the proposed additional surcharge of 30% is enforced. For this interim period, the C.E.(E) has stated that the supply given to the licensee will have to be charged as per the tariff specified in clause 14 of the draft agreement. The tariff proposed in Clause 14 of the agreement is only tentative based on the tariff in the original scheme report. The C.E. has added that apart from the 25% special surcharge which forms part of the tariff proper, there be no other surcharge on the licensee for this pe The C.E.(E) has invited attention in this conne

to para 5 of his letter No.786 J/56-1, dated 23-3-56 and has requested that the suggestion therein about exempting the consumers in the Mangalore area from the 10% surcharge may be approved.

4. The C.E.(E) has stated that supplies given to L.T. consumers directly by Government will be ~~charged~~ for as per schedule 'A' of the departmental Hydro Electric Tariffs, plus 25% surcharge plus 10% Hydro Electric energy surcharge. He has added that even after the coming into force of the increased surcharge in Hydro electric areas, the same tariff and surcharge will continue for the L.T. supplies.

5. The C.E.(E) has requested approval of Govt. for adopting the above rates if the Department gives supplies to (1) the Mangalore licensee (2) L.T. consumers in the South Kanara area before the issue of the increased surcharge order.

6. The C.E.(E)'s proposals at 'A' on p. 1 ante and 'E' above have been made for the reason that the existing tariffs charged by the Mangalore licensee are higher than the departmental tariffs and if a 10% surcharge on the licensee and a 10% surcharge on the consumers are levied the rates will go up higher. The C.E.(E) has pointed out that it will have a bad psychological effect if the total cost of energy to consumers rises on the advent of bulk supply. The C.E's. proposal not to levy the 10% surcharge on the licensee and on the consumers in the licensee's area may be accepted.

7. As according to clause 6 of the Madras Electricity Supply (Government and Licensees Areas) Surcharge order, 1954, the Mangalore licensee and the consumers in his area will have to pay the 10% surcharge when the proposed supply is given, it is necessary to issue a formal order exempting them from the payment of surcharge. This, may, however, be

p.t.o.

be done later soon after the date on which Jog power has been made available to the licensee is known.

8. The Chief Engineer (Electricity)'s proposal in para 4 on p. 2 ante may also be approved.

9. Finance may see.

12.6.56.
12/6/56

12/6/56

13.6.56

P.W.D. No. 2609-P/56-1
13.6.56.
With L.F.

Fin (LB)

The proposals at A and B on ft' 2-3 above may be agreed to.

14/6/56

P.W.

P. W. D. (P.2.)

Please see the Finance note above. They have agreed to the proposals of this Deptt. at 'A' on p.2 ante and 'B' ~~on p.3~~ above. A draft memo. to the C.E.(E) is submitted for approval.

2. With ref. to para 2 at p.1 ante, it is submitted that Law Deptt. has suggested that the draft agreement may be got settled by the Asst. Govt. Plead in the first instance. The C.E.(E) has therefore, been requested to address the Asst. Govt. Pleader and send the draft agreement as settled by the Asst. Govt. Pleader. It is awaited.

15.6.56.
15/6/56

16/6/56.

SECRETARY TO GOVERNMENT 13 JUN 1956 FINANCE DEPARTMENT 54839

Fin D.O.No. 54839 EB/56-1
14-6-56
with L.F.

ASSISTANT SECRETARY TO GOVERNMENT 2749 14 JUN 1956 PUBLIC WORKS DEPARTMENT

File No. 1543-P/56
not furnished.

15/6/56

generated in diesel generating stations at Udipi and Kaikala owned by the licensee and the same arrangement is being continued by the Govt. Electricity Department after acquisition, with some improvements to the power house at Udipi. To meet the high cost of generation with diesel engines, the ex-licensee was permitted to levy a war costs surcharge of 100% from the consumption bills for July 1950. Subsequently, just a month prior to the acquisition of the undertaking, the Govt. permitted the ex-licensee to reduce the surcharge to 50% as there was considerable agitation from the public against the high rate of surcharge. After acquisition of the undertaking by the Govt. on 1-6-1951, the Govt. Electricity Deptt. was ~~being continued~~ continuing provisionally, in accordance with the provisions of the Acquisition Act, the same tariffs and conditions of supply as were in force in the Udipi area immediatel before the vesting date, together with the surcharge of 50%. In G.O. Ms. No.1873 P.W., dated 12-5-55, the Govt. approved the proposal for the continuance of the ex-Udipi licensees tariffs and conditions of supply without the 50% war costs surcharge thereon.

The C.E.(E) has stated that when Jog power is distributed in the Udipi area, the tariffs applicable in the South Kanara area have to be applied in Udipi also in supersession of the orders issued in G.O.Ms. No.1873 P.W., dated 12-5-55 as application of two sets of tariffs in the same area would be discriminatory and give rise to complaints especially when power from the same source is distributed. The C.E. has added that by the above change the present rate of agricultural tariff ~~of one anna per unit for the first 500 units per horse power~~ will become 1.125 annas per unit and over this the consumers have to pay 10% surcharge. The C.E.(E) has stated that but

Requisitioning (Temporary Powers) Act, 1949), so that the increased rates may become legally enforceable. This is necessary, because under the provisions of the Acquisition Act, the Govt. are obliged to charge the same rates in force in the area of an acquired undertaking as on the vesting date, for the supply made by the Deptt. in the area after the vesting date. So, any increase in these rates will be against the provisions of the Acquisition Act and to meet this difficulty, the orders giving effect to such increased rates will have to be issued under the Madras Act XXIX of 1949 which has overriding powers over the Acquisition Act. In the present case in respect of one item the revised rate proposed to be introduced will be higher than the ex-licensees' rates now in force - vide 'X' on p.5 ante. In the circumstances, the orders approving the introduction of the revised tariffs in Udipi area may be issued under Section 3 of the Madras Essential Articles Control and Requisitioning (Temporary Powers) Act, 1949.

The usual practice while introducing revised rates in an area is to give effect to the revised rates on and from the date on which meter readings are taken in the area for the month following the month in which orders approving the proposals are issued. The idea underlying the practice ~~being~~ to give the consumers adequate-say about 2 months - notice of change over of tariffs. In this case the revised rate for Udipi area are more favourable than the ex-licensees rates in all items except one item (viz agricultural consumers). If the procedure referred to at 'A' above is to be followed in this case, ~~and if~~ as Jog power is already reported to be distributed in Udipi area, ~~within a month or so, then~~ long there will be a ~~short~~ long period during which the consumers, although receiving Jog power, will have to be charged according to the ex-licensee's rate.

Under sections 2 (b) and 3 of the Essential Articles (Control and Requisitioning (Temporary Powers) Act, 1946, the Govt. are empowered to take action as above by means of a notified order i.e. an order published in the Fort St. George Gazette. In cases in this case the introduction of the rates in the Udipi area may be ordered to take effect from the dates on which meter readings are taken after the concerned notification has been published in the Fort St. George Gazette.

6. The C.E.(.)'s proposal referred to in para-graph 4 on p. 6 ante may be approved. It does not seem necessary to specify the date from which the rates in this regard should be given effect. The C.E. may give effect to the orders after giving necessary notice to the consumers.

7. In this connection, it is submitted that in G.C.I.S. No.4244 P.W., dated 10-11-55, the Govt. approved the adoption of the street lighting tariffs prevailing in the G.C. in the Udipi area.

8. Orders for the adoption of tariffs from that at 'A' on p. 4 ante in the area of the Udipi Electrical undertaking will have to be issued in supersession of the orders issued in the G.O. referred to. The C.E.(.) has not referred to the G.O. in his letter on pp.11-13 ante. This is apparently due to oversight.

8. The necessary drafts are submitted for approval.

9. Law and Finance Departments may see.

31/7/56

It is not very clear whether it is necessary to invoke the provisions of the Essential Articles Control and Requisitioning (Temp. Powers) Act wherever we want to increase the rates of supply in the area of an acquired undertaking. The licensees had powers to increase the rates of supply under the Supply Act of 1948.

Thro' 3/9(V)

1-8-56

2609-P/56

When an undertaking is acquired, it is held that the Govt. are bound to continue the rates of supply as were existing before the vesting date, since the obligations of the licensee passed on to the Govt. in view of the provisions in Sec 6(3) of the Acquisition Act 1954. If that is so, the rights of the licensee to increase the rates also must be deemed to have passed on to the Govt. under the provisions of the same section & hence it does not seem necessary to invoke the provisions of the Essential Articles (Control and Requisitioning (Temporary Powers) for the purpose. Law may be requested to examine this point also.

I think, on the balance of convenience, it is safer to do so. Law may advise - Mrs. 4/8/56.

3/8/56.

4/8/56

Law

4/8/56

Law

P.W.D.O. 2609-P/56-4.
4.8.56.

LAW DEPARTMENT.

Section 6(3) of the Madras Electricity (Acquisition) Act, 1954 (Madras Act XXIX of 1954) states that in the case of all undertakings which vests or deemed to have been vested in the Govt. under that Act, the licence granted and the sanction given for the supply of electricity shall be deemed to have been terminated on the vesting date. The latter part of the section saves right liabilities and obligations of the licensees under any agreement to supply electricity entered into

ASSISTANT SECRETARY
4 AUG 1956
No. 11773C
Govt. of T. Nadu

before the vesting date. It follows that the licence itself, in which the VI Schedule to the Electricity (Supply) Act, 1954 (Central Act LIV of 1948) must be deemed to have been incorporated by virtue of sec.57 of that Act, is no longer in force. Consequently, the power to adjust the rates of licence conferred in paragraph 1 of the VI Schedule to that Act is also not available, to the Government after the vesting date. If there is any agreement between the consumers on the one hand and the licensee$ on the other, in which the power to increase the rate is reserved, then that agreement could be invoked, Such an agreement is specifically saved by sec.6(3) of the Madras Act XXII of 1954. One cannot be sure, whether there is such an agreement between each and every individual consumer and the licensee. In the circumstances, the safer course is to invoke the provisions of the Madras Essential Articles Control and Requisitioning (Temporary Powers) Act, for the purpose.

The draft notification is in order.

21/8/56

7/8/56

DS

Fin.

Fin (LD)

(Pre fin note as above)

The drafts below may be accepted.

9/8/56

P.W.

LAW DEPARTMENT No. 117739/56

DEPUTY SECY.

ASSISTANT SECRETARY TO GOVT.

3567

LAW DEPARTMENT

P.W.D. (P-2)

136. P. 12224/15 P.W.

Please see the notes of Law and Fin. Depts. at pp. 9-10 ante. Law Dept. p. 10 ante have advised that it is safer to invoke the provisions of the Madras Essential Articles Control and Requisitioning (Temporary Powers) Act in the present case. They have added that the draft notification is in order. The drafts below may issue.

10.8.56.

10/8/56

11/8/56

11/8/56

14/8/56

pp. 17-18 cf. Issued as G.O.Ms.No. 3485 P.W. dt. 11.8.56.

(Notification published as Notfn. No. 136 on p. 12224 of Part I of F.S.G.G. dated 15-8-56.)

1.9.56.

P.W.D.(P-2).

Sub:- Electricity - Tariffs - Supply of Jog power in Udipi area.

Ref:- From the C.O.E.(S) Letter No.786.J/56-6, dated 27-8-56.

Please see the letter from the C.O.E.(S) on pp.1-3 of ~~pp.1-3~~ C.F. With reference to the orders issued in G.O.Ms.3485, P.W., dated 11-8-56 and endorsement No.2609-P/56-6, P.W., dated 11-8-56. the C.O.E.(S), has now reported that the S.E., Pykara System misunderstood the orders issued in Memo.No.2609-P/56-2, P.W., dated 18-6-56 as being applicable to the Udipi ~~and~~ area also and circularised all the consumers in the Udipi ~~and~~ area that with the advent of Jog supply the tariffs approved for the other areas of South Kanara ~~District~~ served by the Department direct would be applied to the consumers in ~~that~~ the Udipi area also. Jog supply was made available in Udipi and Karkala on 10-7-56. It has been reported that bills for July, 1956 have been prepared by the S.E., at the old rates approved in G.O.Ms.No.1873, P.W., dated 12-5-55 to date of changeover to Jog supply and at the revised rates from date of Jog supply.

3. Attention is invited to para 5 of this Department's note on pp.6-8 N.F. of (K). The notification approved in para 4 of the G.O. on pp.15-17 C.F. of (K) has been published in the Fort St. George Gazette dated 15-8-56. Therefore, according to the Endt. on p.19 C.F. of (K), the revised rates should be given effect to from the date or dates on which meter readings are taken after 15-8-56. As meter readings are usually taken towards the end of ~~7th~~ a month the revised rates should be applied for the consumption. September 1956. However, in those cases where there is only a reduction of rates consequent on the

the revision, there seems to be no objection in giving effect to the revised rates from 10-7-56 although the notifications introducing the revised rates was published later. In those cases where there is an increase it seems desirable that the revised rates are applied only with effect from the date or dates on which meter readings are taken after 15-8-56 (the date of publication of the notification in the Gazette) to avoid all legal complications. Therefore, the C.O.E.'s proposal that the July bills as prepared by the S.E. i.e. at the old rates to date of change over and at the revised rates from the date of Jog supply, may be ~~submitted~~ sent even in the case of agricultural consumers, for whom there is increase consequent on the revision, and that necessary further action may be taken if any of the agricultural consumers protest against the increase, need not, it seems, be accepted.

4. In the circumstances, the C.O.E.(S) may be informed that in respect of those cases where there is a reduction consequent on the revision, the revised rates may be given effect to from the date of Jog supply, but that in all cases where there is an increase the revised rates should be given effect to only from the date or dates on which meter readings are taken after 15-8-56. He may be asked to instruct the S.E. to send revised bills in respect of agricultural consumers, now itself.

5. The action of the S.E. in having sent the circulars to the comsumers about the change of tariff and in preparing bills from the date of change over to Jog supply in those cases where there is reduction of rate consequent on the revision may be ratified.

6. In the notification approved in para 4 the G.O. at Pp.15-17 c.f. of (K), the date from which the revised rates mentioned therein would come into effect was not specified. Therefore, there seems to be no need to issue any formal amendment to the notification with reference to the proposal at 'A' ~~above~~ on p. 2 ante.

7. Law and Finance Departments may see for remarks.

3/9/58

5/9/58

6/9/58

Law / Pw

LAW DEPARTMENT.

W.O.No. 3875-P/58-1
6/9/58.

ASSISTANT SECRETARY
6 - SEP 1958
13832
Dept. of Tamil Nadu, MADRAS

'A' on page 2 ante: -

The proposal of P.W.D. set out in paragraph 4 of their note at p.2 ante will be in order.

'B' above is agreed to in this department.

Law W.O.No. 13832/58-1
Asst/DS/8/9/58
[Sealed Cover]

7.9.58

Fin

Fin/Acts

The proposals of PW are agreed to in Finance also.

8.9.58

7 SEP 1958
380544
80544 Asst/hm
8.9.58

ASSISTANT SECRETARY TO GOVERNMENT
10 SEP 1958
4070
PUBLIC WORKS DEPARTMENT

4

IWD (P)

Please see the harvard Fin. Depths' note on p. 3 ante. A draft memo is submitted for approval. After issue the papers may be stitched with the C.P.O. at (K).

12/9/18

Copy of No.786-J/56-1, Dated 23-3-1956 from the Chief Engineer, for Electricity, Madras-2 addressed to the Secretary to Govt., Public Works Department, Madras-9.

Sub:- Electricity - Extension of supply to South Kanara District from Jog Falls - Tariffs for supply - Proposals - Submitted.

The scheme for purchase of bulk power from Mysore and distribution in South Kanara District was approved by Government in G.O.Ms.No.3270, P.W., dated 1-9-1950. In G.O.Ms.No. 441, P.W., dated 5-2-1952 Govt. have also approved the revised estimate for the scheme for Rs. 70.3 lakhs initially raising to Rs 88.0 lakhs in 10 years.

2. It is expected that the department will avail the supply of power from Mysore in the course of this year. According to South Kanara Scheme report Jog supply of power will be extended to Mangalore Electric Supply Under-taking area also. In the scheme report the tariff as for Ceded Districts Scheme viz.,L.T. Tariff Schedule "A" plus 25% increase plus 10% surcharge, was proposed to be applied in the South Kanara area. It was also the intention of the department that the above tariff should be applied in areas served by power purchased from other sources. In this connection kind reference is invited to my letter No.270-J/56-1, dated 6-2-56. But as the Government are contemplating the increase of surcharge on H.T. consumers in Hydro Electric areas to 50%, the above proposals will result in the anomaly of consumers in these areas having to pay only 137½% of the H.T. Tariff, while in the departmental areas H.T. consumers will be paying 150% of the basic rate. In the circumstances the H.T. tariff to be applied for both hydro electric areas and in the areas served by power purchased fromother souce may be uniform, and I suggest hat for H.T. supply of power in respectof areas where power is puchased and distributed (i.e. Kollegal), Fort Cochin, Shoranur and Guruvayur areas and South Kanara area) the departmental H.T. Tariff as in Hydro Electric Power tariffs with the surcharges (i.e.150%) as obtaining from time to time in Hydro Electric areas may be applied.

3. As according to the proposals of the Government, the increase in surcharge (i.e. 30%) now to be made will not apply to Railways and to industries for the first three years of production, I suggest that the departmental H.T. Tariff as in Hydro Electric Power Tariffs plus 25% increase plus 10% surcharge as is being now charged in Kollegal and Fort Cochin areas, may beapplied for H.T. supply of Power to Railways and otherindustries which commenced operation within three years.

4. For L.T. supply of power in the South Kanara District, I suggest that the departmental L.T . Tariff as in Schedule 'A' plus 25% increase and plus 10% surcharge as is being now charged in Kollegal and Fort Cochin areas, may be applied.

5. According to the proposal in para 2 of above, for bulk supply of power to Mangalore licensee, the Licensee will be levied a 40% surcharge, over the H.T. Tariff. The consumers in licensees areas supplied with energy from the department pay a 10% surcharge on ~~the~~ Licensee area need not be called upon to pay this surcharge as the existing tariff of the Mangalore Licensee is higher than the departmental tariffs and as it will have a bad psychological effect if the total cost of energy to consumers rises on the advent of bulk supply. Consolidating, the consumers in the areas served by power purchased from other sources (i.e. Kollegal, Fort Cochin, Shoranur and Guruvayur areas and South Kanara District) will be charged as follows:-

their bills. suggest that Consumers Mangalore

(1) For G. H.T. supply.. Departmental H.T. Tariff as in H.E. Power tariffs with surcharge as in these areas. In respect of supply to Railways and Industrial consumers for the first three years of production, the existing rate viz., H.T. Tariff increased by 25% and overall surcharge of 10% will apply.

(2) For L.T. supply:- Departmental L.T. Tariff as in Schedule 'A' in Hydro Electric Power tariffs plus 25% increase plus a 10% surcharge.

6. The proposals will require amendments to the following orders and may be issued.

(i) G.O.No.2762, P.W., dated 31-7-48 approving tariff to be adopted for Kollegal area.
(ii) G.O.No.1628, P.W., dated 27-4-55 approving tariffs to be adopted for Fort Cochin Area.
(iii) My letter No.270-J/56-1, dated 6-2-56 proposing tariffs for Shoranur and Guruvayur area.

The following may be substituted for the existing para 6 in G.O.M.sNo.2845, Public Works, dated 16-8-54, subject to the present proposal for increased surcharge in the areas being confirmed by the Govt:-

"(6) The surcharges referred to in clause 3 shall be levied on the overall charges referred to in Clause 4 at the following rate

	Percent.
(1) All H.T. consumers served by the department direct (other than Distributing licensees receiving bulk supply from the Department and Railways and industrial consumers for the first three years of production).	50
(2) H.T. supply to Railways and industrial consumers for the first three years of production, served by the department from its hydro-electric station.	20
(3) H.T. Supply to Railways and industrial consumers for the first three years of production in the areas served by power purchased from other sources.	10
(4) All L.T. consumers served by the dept. direct.	20
(5) All L.T. consumers in areas served by the Dept. from the power purchased from other sources.	10
(6) Distributing licencees receiving bulk supply from the department.	40
(7) Consumers in areas of distribuin Licensees receiving bulk supply from the Dept. (except consumers in the Mangalore licensed area).	10

7. I request early orders of Government.

(True copy)

Superintendent.